

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

CENTER CITY HEALTHCARE, LLC d/b/a
HAHNEMANN UNIVERSITY HOSPITAL, *et al.*,¹

Debtors.

CENTER CITY HEALTHCARE, LLC, d/b/a
HAHNEMANN UNIVERSITY HOSPITAL,
PHILADELPHIA ACADEMIC HEALTH SYSTEM,
LLC AND ST. CHRISTOPHER'S HEALTHCARE,
LLC

Plaintiffs,

v.

MEDTRONIC USA, INC. and
MEDTRONIC XOMED, INC.

Defendant.

Chapter 11

Case No. 19-11466 (MFW)

(Jointly Administered)

Adv. Proc. No. 22-50262 (MFW)

Re: Docket No. 7

PRE-TRIAL SCHEDULING ORDER

The above-captioned plaintiffs in this adversary proceeding (the “**Plaintiffs**”) and Medtronic USA, Inc. and Medtronic Xomed, Inc. (“**Defendants**” and together with Plaintiffs, collectively, the “**Parties**”), having held the discovery planning conference described in Fed. R. Civ. P. 26(f), made applicable in this adversary proceeding by Fed. R. Bankr. P. 7026, and have agreed to the following dates and deadlines for this adversary proceeding:

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Center City Healthcare, LLC (3341), Philadelphia Academic Health System, LLC (8681), St. Christopher’s Healthcare, LLC (8395), Philadelphia Academic Medical Associates, LLC (8165), HPS of PA, L.L.C. (1617), SCHC Pediatric Associates, L.L.C. (0527), St. Christopher’s Pediatric Urgent Care Center, L.L.C. (6447), SCHC Pediatric Anesthesia Associates, L.L.C. (2326), StChris Care at Northeast Pediatrics, L.L.C. (4056), TPS of PA, L.L.C. (4862), TPS II of PA, L.L.C. (5534), TPS III of PA, L.L.C. (5536), TPS IV of PA, L.L.C. (5537), and TPS V of PA, L.L.C. (5540). The Debtors’ mailing address is 216 North Broad Street, 4th Floor, Philadelphia, Pennsylvania 19102.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Defendants shall have twenty-one (21) days after the filing of the Amended Complaint to answer or otherwise plead to the Amended Complaint.
2. A discovery planning conference pursuant to Fed. R. Civ. P. 26 is satisfied by the Parties' agreement to the terms of this Order.
3. The Parties have selected Connor Bifferato to serve as mediator for this adversary proceeding (the "**Mediator**") and shall work with the Mediator to schedule and hold a mediation on or before September 30, 2022.
4. The Parties shall file their initial disclosures required by Fed. R. Civ. P. 26(a)(1) no later than July 15, 2022.
5. All fact discovery shall be initiated consistent with applicable rules of procedure so that fact discovery including depositions of fact witnesses are completed by December 15, 2022.
6. The Parties shall provide expert reports for any issue on which they bear the burden of proof by February 28, 2023. The Defendants shall provide any expert report in respect of the issue of insolvency by February 28, 2023. Any expert report by any of the Parties intended to rebut any other expert report shall be provided by March 31, 2023. All reports shall provide the information required by Fed. R. Civ. P. 26(a)(2)(B).
7. All expert discovery shall be completed by, and discovery shall close on, April 30, 2023.
8. All dispositive motions shall be filed and served by May 31, 2023, and shall be subject to Rule 7.1.2 of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware.

9. Following submission of dispositive motions, or the lapse of the deadline set forth in Paragraph 8 above with no dispositive motions having been filed, the Parties may contact the Court to schedule a status conference to discuss, among other things, the scheduling of a pre-trial conference and trial.

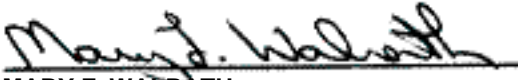
10. The Parties may modify the deadlines set forth herein by (i) mutual agreement (other than with respect to hearing dates, which shall be subject to the Court's availability) or (ii) upon request and further order from the Court, which request may be granted for good cause. The Parties agree to act in good faith in discussing any extension to any deadline.

11. The Parties agree that service by e-mail on all other Parties of discovery requests and written responses is sufficient.

12. This terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

13. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

Dated: July 7th, 2022
Wilmington, Delaware


MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE